

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

GRETCHEN S. STUART, M.D., et al.,        )  
    )  
Plaintiffs,                                  )      Case No. 1:11-CV-00804  
    )  
– against –                                 )  
    )      **AFFIDAVIT OF STEPHANIE**  
RALPH LOOMIS, M.D., et al.,                )      **A. BRENNAN**  
    )  
Defendants.                                  )  
  
STATE OF NORTH CAROLINA                    )  
    ) ss.:  
COUNTY OF WAKE                             )

**STEPHANIE A. BRENNAN**, being first duly sworn, deposes and says that:

1. I am a member in good standing of the Bar of, *inter alia*, the State of North Carolina and of this Court.
2. I make this Affidavit on personal knowledge.
3. At all times relevant to this Affidavit, I have been an Assistant Attorney General of the State of North Carolina.
4. On May 23, 2012, I was one of three attorneys at the North Carolina Department of Justice who represented the State of North Carolina and the other defendants in the above-captioned civil action.
5. On that date, I wrote a letter to Katherine Lewis Parker, Esquire, the then lead attorney for all of the plaintiffs in this case and the then Legal Director of the American Civil Liberties Union of North Carolina Legal Foundation, and Bebe J. Anderson, Esquire, the then Director of U.S. Legal Programs for the Center for Reproductive Rights and then one of the other attorneys for the plaintiffs in this case.

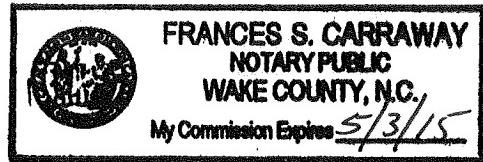
6. A true and correct copy of the letter referred to in paragraph 5 of this Affidavit is annexed to this Affidavit as Exhibit 1.

Stephanie A. Brennan  
Stephanie A. Brennan

Subscribed to and sworn before  
me this 21<sup>st</sup> day of December  
2012.

Frances S. Carraway  
Notary Public

My commission expires: 5-3-2015



**EXHIBIT 1**

(May 23, 2012 letter from Stephanie A. Brennan, Esquire, to Katherine Lewis Parker, Esquire, and Bebe J. Anderson, Esquire)



## State of North Carolina

ROY COOPER  
ATTORNEY GENERAL

Department of Justice  
PO Box 629  
Raleigh, North Carolina  
27602

REPLY TO:  
Stephanie A. Brennan  
(919) 716-6920  
FAX: 716-6764

May 23, 2012

Katherine Lewis Parker, Esquire  
Counsel for all Plaintiffs  
Legal Director  
American Civil Liberties Union  
of North Carolina Legal Foundation  
Post Office Box 28004  
Raleigh, NC 27611

Bebe J. Anderson, Esquire  
Director of U.S. Legal Programs  
Center for Reproductive Rights  
120 Wall Street, 14th floor  
New York, New York 10005

Re: *Stuart, et al. v. Huff, et al.*, 1:11-cv-804 - MDNC

Dear Counsel:

We continue to believe that this case does not turn on any factual evidence or possible expert testimony. However, we are submitting the attached report of Dr. Watson Bowes in rebuttal to the expert reports that you submitted. We also reserve the right to rely on materials already in the record, including the declarations submitted by the proposed intervenors.

Please do not hesitate to contact me if you have any questions.

Regards,

A handwritten signature in black ink, appearing to read "Stephanie A. Brenn".

Stephanie A. Brennan  
Assistant Attorney General

SAB:ckd  
Enclosure

**CERTIFICATE OF FILING AND SERVICE**

This is to certify that, on the 21<sup>st</sup> day of December 2012, I caused a copy of the foregoing to be electronically filed with the Office of the Clerk of Court of the United States District Court for the Middle District of North Carolina using the CM/ECF system, which will automatically send notification of such filing to all registered CM/ECF participants, including counsel for each of the parties in this action.

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*/S/ I. Faison Hicks*

I. Faison Hicks